



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Joseph A. Rothnagel, et al.

Examiner: T. McKelvey

Serial No.: 09/880,253

Art Unit: 1636

Filed: June 13, 2001

Docket: 13711

For: EXPRESSION MODULATING
SEQUENCES

Dated: November 26, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

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DEC 04 2002

**PRELIMINARY AMENDMENT AND
RESPONSE TO THE OFFICE COMMUNICATION DATED 9/30/02**

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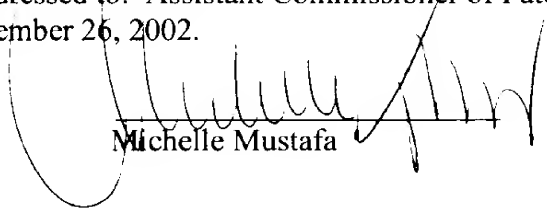
Sir:

In connection with the Office Communication dated September 30, 2002 and in accordance with the provisions in 37 C.F.R. §1.821, Applicants submit herewith a substitute paper copy and a substitute computer readable copy of the Sequence Listing, along with a Statement Under 37 C.F.R. §1.821(f), stating that these copies are identical. Applicants also submit the following amendment for entry in the above-identified case.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on November 26, 2002.

Date: November 26, 2002


Michelle Mustafa